

FILED
MAY 03 2012
PATRICK E. DUFFY CLERK
BY _____
Deputy Clerk
U.S. DISTRICT COURT
BILLINGS DIVISION

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

ROBIN O. LYDA,)	CV-12-49-BLG-RFC
)	
Plaintiff,)	
)	
vs.)	
)	ORDER ADOPTING FINDINGS
)	AND RECOMMENDATION OF
ERIC K. SHINSEKI, SECRETARY OF)	U.S. MAGISTRATE JUDGE
THE DEPARTMENT OF VETERANS)	
AFFAIRS,)	
)	
Defendant.)	
)	

United States Magistrate Judge Carolyn S. Ostby has recommended this Court deny Plaintiff's Motion to Proceed In Forma Pauperis. *Doc. 4.* Unlike other cases, Plaintiff is not allowed to file objections to a Magistrate Judge's recommendation that a motion to proceed in forma pauperis be denied. *Minetti v. Port of Seattle*, 152 F.3d 1113, 1114 (9th Cir. 1998). No objections have been filed.

In any event, after reviewing the record and the applicable law, it is obvious that Judge Ostby correctly concluded that Plaintiff is not entitled to proceed *in forma pauperis*. Accordingly, Magistrate Judge Ostby's Findings and Recommendations are adopted in their entirety.

IT IS HEREBY ORDERED that

- (1) Plaintiff's Motion to Proceed in Forma Pauperis (doc. 1) is **DENIED**;
- (2) Lyda has thirty days from the entry of this Order to pay the full filing fee of \$350.00. If she fails to do so, the Clerk of Court will be ordered to close the file.

Dated this 3rd day of May, 2012.



RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE